

1 The Honorable Richard A. Jones  
2  
3  
4  
5

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

|   |  |
|---|--|
| UNITED STATES OF AMERICA,<br>Plaintiff,<br>v.<br>CHARLES ROLAND CHEATHAM, et al.,<br>Defendants.    | NO. CR18-131RAJ<br>ORDER CONTINUING TRIAL DATE |
| UNITED STATES OF AMERICA,<br>Plaintiff,<br>v.<br>MICHAEL SCOTT MORGAN, et al.,<br>Defendants.       | NO. CR18-132RAJ                                |
| UNITED STATES OF AMERICA,<br>Plaintiff,<br>v.<br>WESLEY ARMSTRONG,<br>JIHAD ZEIGLER,<br>Defendants. | NO. CR18-145RAJ<br>CR18-161RAJ                 |

ORDER CONTINUING TRIAL DATE - 1  
U.S. v. Cheatham, et al., CR18-131RAJ; U.S. v. Morgan, et al., CR18-132RAJ;  
U.S. v. Armstrong, CR18-145RAJ; U.S. v. Zeigler, CR18-161RAJ

1 Before this Court is Defendant Michael Morgan's Motion to Continue the Trial  
2 Date. The Court finds, after consideration of all relevant information and circumstances  
3 of this case, and having heard from the parties at a hearing conducted on February 22,  
4 2019, for the reasons stated orally on the record, that the ends of justice would be best  
5 served by the granting of this request for a continuance in the above-captioned  
6 companion cases in order to provide counsel the reasonable time necessary for effective  
7 preparation. The ends of justice served by the granting of this continuance outweigh the  
8 best interests of the public and of the defendants in a speedy trial.

9 The Court incorporates its oral findings as set forth on the record and makes the  
10 following written findings:

- 11 a. That the failure to grant such a continuance in this case would be likely to result  
12 in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(i);
- 13 b. That it is the Defendants' interest to understand the potential charges and  
14 evidence against them and have the opportunity to investigate and negotiate  
15 settlements of the charges;
- 16 c. That the failure to grant such a continuance in this case would deny counsel for  
17 the Defendants the reasonable time necessary for effective preparation, taking  
18 into account the exercise of due diligence, because of the existence of a  
19 significant amount of discovery and counsel's time commitments to other  
20 clients. 18 U.S.C. § 3161(h)(8)(B)(iv); and
- 21 d. That because of the complexity of the case, investigations by different agencies,  
22 and the nature and number of charges, it may be unreasonable to expect adequate  
23 preparation for pretrial proceedings and for the trial itself within the time limits  
24 established by Title 18, United States Code, Section 3161(h)(8)(B)(ii).

25 ///

26 ///

27 ///

1 For all the reasons presented in the files and records herein, the Court finds that the  
2 Motion to Continue is GRANTED. The trial date is hereby continued to September 9,  
3 2019, at 9:00 a.m. The pretrial motions shall be filed pursuant to an amended complex  
4 case management order to be proposed by the parties. As noted orally at the hearing,  
5 counsel are directed to confer and propose an agreed amended complex case schedule no  
6 later than March 1, 2019, which is consistent with the Court's proposed case schedule  
7 provided to counsel in court on February 22, 2019.

8 IT IS FURTHER ORDERED that any and all period of delay resulting from the  
9 granting of this continuance, from the date of this Order to the new trial date of  
10 September 9, 2019, shall be excludable time pursuant to Title 18, United States Code,  
11 Section 3161(h)(1)(F) and (h)(8)(A).

12 IT IS SO ORDERED.

13 DATED this 25th day of February, 2019.  
14

15   
16

17 The Honorable Richard A. Jones  
18 United States District Judge  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28